

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CENTRAL LABORERS' PENSION, WELFARE AND ANNUITY FUNDS.

Plaintiffs,

V.

MIDDENDORF EXCAVATING,

Defendant.

CAUSE NO. 05-CV-425-WDS

JUDGMENT ORDER

STIEHL, District Judge:

This matter is before the Court on plaintiffs' second motion for default judgment (Doc.

9). Upon review of the record, the Court **FINDS** that plaintiffs' are entitled to default judgment and accordingly, **GRANTS** plaintiffs' motion and directs the Clerk of the Court to enter judgment as follows:

1. Judgment is entered in favor of plaintiff, Central Laborers' Pension Welfare and Annuity Funds and against defendant Middendorf Excavating in the total amount of \$2,748.17, as follows:

A. Plaintiffs are entitled to recover from the defendant the sum of \$1,007.49 for delinquent contributions owed by the defendant to plaintiff;

B: Plaintiffs are entitled to recover from the defendant the sum of \$472.04 for liquidated damages; and

C. Plaintiffs are entitled to recover from the defendant the sum of \$1,268.64 for reasonable attorneys' fees, costs and expenses.

2. The defendant shall, within twenty (20) days of the date of this Order, turn over its payroll records and books to the plaintiff for an audit to be completed.

3. Plaintiffs are awarded execution for the collection of the judgments and costs granted herein.

The Court retains jurisdiction over this matter for the purposes of enforcing this Order and the judgment.

IT IS SO ORDERED.

DATED: March 27, 2006.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE